

## **REMARKS**

Initially, Applicant notes that the remarks and amendments made in this paper are consistent with those presented to the Examiner by telephone.

By this paper, claims 1 and 13 have been amended, while no claims have been added or canceled, such that claims 1-31 remain pending, and of which claims 1, 10, 13, and 24 are the only claims at issue.

The Office Action, mailed July 24, 2008, considered and rejected claims 1-31. Claims 1 and 13 were objected to because of minor informalities corrected by this amendment. Claims 1 and 10 were rejected under 35 U.S.C. 102(e) as being anticipated by Thienot et al. (U.S. Publ. No. 2004/0013307). Claims 2-8 and 11-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Thienot in view of Brook (U.S. Publ. No. 2002/0038320). Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Thienot in view of Brook and further in view of Lim et al. (U.S. Publ. No. 2004/0064826).<sup>1</sup>

The claimed embodiments are directed to determining equivalence of XML schema types. Claim 1, for instance, recites a method for determining equivalence of XML schema types. In the method at least two XML schema types for which equivalence is to be determined are first identified, with each of the at least two XML schema types having at least one schema component that can be presented differently in equivalent XML schema types. Then, each of the identified XML schema types are normalized and the equivalence of the at least two normalized XML schema types are identified.

The remaining independent claims are similar to claim 1. Claim 13 recites a method similar to claim 1, but inserts specific acts in place of the functional steps of claim 1, while claims 10 and 24 are directed to computer program products that implement methods consistent with claim 1 and 13, respectively. The distinctions made with regard to claim 1 are present in all of the independent claims, which are therefore allowable over the cited art for the same reasons as claim 1.

The independent claims were rejected, at least in part, based on the reference of Thienot. Thienot discloses a method for compressing and decompressing structured documents such as XML. In Thienot, a syntactic analysis of the structure schema is performed and the structure

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<sup>1</sup> Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

schema is normalized to obtain a single predefined sequence of the elements of the schema. The normalized structure is then compiled to obtain one finite automaton per root element and each automaton having states interconnected by transitions. The resulting structured document is then compressed with each data set being compressed by an algorithm specific to that data set. The Office Action particularly cites paragraph [0006] as disclosing XML and paragraph [0018] as teaching an act of identifying at least two XML schema types for which equivalence is to be determined, each of the at least two XML schema types having at least one schema component that can be presented differently in equivalent XML schema types, a step for normalizing each of the identified XML schema types, a step for determining equivalence of the at least two normalized XML schema types.

Applicant respectfully disagrees with that the cited art of Thienot teaches all of the elements of the independent claim. For example, the claims clearly require at least two XML schema types in various claim elements. However, the cited art only describes a single XML schema type being normalized. Nowhere within the cited section of Thienot, nor the entirety of Thienot, is there a discussion of normalizing at least two XML schema types. It will be noted that the cited paragraph of Thienot describes the decompression of the same document that was compressed. Thienot states that the decompressed document will be equivalent if not identical to the compressed document. Of particular note, the same structure schema is being processed to determine the automata used for compression. A second XML schema type is simply never present.

Furthermore, nowhere within the cited art is a step for determining equivalence performed. The cited paragraph states the document will be equivalent, but there is no test performed to verify the equivalence. Instead, the cited art is merely describing a process of normalizing a structure schema for compression, and then later normalizing the same structure schema to determine what algorithm was used to compress the data. The equivalence of the structure schema is assumed and no determination of actual equivalence is ever performed. In other words, the art cites creating two equivalent documents, but does not compare or otherwise make a determination that two schemas are indeed equivalent.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the

purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 24<sup>th</sup> day of October, 2008.

Respectfully submitted,

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